

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

FRANCESCA GINO,

Plaintiff,

V.

C.A. No. 23-cv-11775-MJJ

PRESIDENT AND FELLOWS OF
HARVARD COLLEGE, SRIKANT
DATAR, URI SIMONSOHN,
LEIF NELSON, JOSEPH SIMMONS,
JOHN DOES 1-10 AND JANE DOES 1-10,

Defendants

**ASSENTED-TO MOTION OF URI SIMONSOHN, LEIF NELSON, AND
JOSEPH SIMMONS TO EXTEND TIME TO ANSWER OR OTHERWISE PLEAD
IN RESPONSE TO AMENDED COMPLAINT**

Defendants Uri Simonsohn, Leif Nelson, and Joseph Simmons (hereinafter, the “Data Colada Defendants”), with the assent of plaintiff Francesca Gino, hereby move to extend the date for each of them to answer or otherwise plead in response to plaintiff’s Amended Complaint from October 9, 2023 to November 8, 2023. In support of this motion, the Data Colada Defendants state as follows.

1. This action was filed on August 2, 2023. On August 9, 2023, Plaintiff sent waiver of service forms to each of the Data Colada Defendants, including to defendant Uri Simonsohn in Barcelona, Spain.
2. The Data Colada Defendants have timely waived service.
3. Under Fed. R. Civ. P. 4(d)(3), a defendant such as Mr. Simonsohn who is sent a waiver of service “outside any judicial district of the United States” has 90 days from the date

the waiver form is sent to answer the complaint or otherwise plead. As such, his response deadline would be November 7, 2023.

4. The three Data Colada Defendants are represented by the same counsel. As such, they request that their response deadlines be aligned, and set for November 7, 2023.

5. As further reason for this motion, the Data Colada defendants state that the Amended Complaint is 100 pages long with approximately 141 pages of exhibits. Counsel for the Data Colada Defendants requires the extra time to respond to the many allegations in the Amended Complaint.

6. Counsel for Plaintiff Francesca Gino has assented to the relief requested in this motion.

For the foregoing reasons, defendants Uri Simonsohn, Leif Nelson, and Joseph Simmons respectfully request that their deadline to answer or otherwise plead in response to the Amended Complaint be extended to November 7, 2023.

Respectfully Submitted,

URI SIMONSOHN, LEIF NELSON,
AND JOSEPH SIMMONS,

By their attorney,

/s/ Jeffrey J. Pyle
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CERTIFICATE OF SERVICE

I hereby certify that the within document filed through the CM/ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing and by first-class mail to any non-registered participants.

/s/ Jeffrey J. Pyle
Jeffrey J. Pyle